

84TH CONGRESS
1ST SESSION

S. J. RES. 21

IN THE SENATE OF THE UNITED STATES

JANUARY 18, 1955

Mr. HUMPHREY (for himself and Mr. STENNIS) introduced the following joint resolution; which was read twice and referred to the Committee on Government Operations

JOINT RESOLUTION

To establish a Commission on Government Security.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 DECLARATION OF POLICY

4 SECTION 1. It is vital to the welfare and safety of the
5 United States that there be adequate protection of the na-
6 tional security, including the safeguarding of all national
7 defense secrets and public and private defense installations,
8 against loss or compromise arising from espionage, sabotage,
9 disloyalty, subversive activities, or unauthorized disclosures.
10 It is, therefore, the policy of the Congress that there
11 shall exist a sound Government program—

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1 (a) establishing procedures for security investiga-
2 tion, evaluation, clearance, and, where necessary, adjudi-
3 cation of Government employees, and also appropriate
4 security requirements with respect to persons privately
5 employed or occupied on work requiring access to
6 national defense secrets or work affording significant
7 opportunity for injury to the national security;

8 (b) for vigorous enforcement of effective and rea-
9 listic security laws and regulations; and

10 (c) for a careful, consistent, and efficient adminis-
11 tration of this policy in a manner which will protect
12 the national security and preserve basic American rights.

13 ESTABLISHMENT OF THE COMMISSION ON GOVERNMENT
14 SECURITY

15 SEC. 2. (a) For the purpose of carrying out the policy
16 set forth in the first section of this joint resolution, there
17 is hereby established a commission to be known as the
18 Commission on Government Security (hereinafter referred
19 to as the "Commission").

20 (b) The Commission shall be composed of twelve mem-
21 bers as follows:

22 (1) Four appointed by the President of the United
23 States, two from the executive branch of the Government
24 and two from private life;

1 (2) Four appointed by the President of the Senate, two
2 from the Senate and two from private life; and

3 (3) Four appointed by the Speaker of the House of
4 Representatives, two from the House of Representatives and
5 two from private life.

6 (c) Of the members appointed to the Commission not
7 more than two shall be appointed by the President of the
8 United States, or the President of the Senate, or the Speaker
9 of the House of Representatives from the same political
10 party.

11 (d) Any vacancy in the Commission shall not affect
12 its powers, but shall be filled in the same manner in which
13 the original appointment was made.

14 (e) Service of an individual as a member of the Com-
15 mission or employment of an individual by the Commission
16 as an attorney or expert in any business or professional field,
17 on a part-time or full-time basis, with or without compensa-
18 tion, shall not be considered as service or employment bring-
19 ing such individual within the provisions of section 281, 283,
20 284, 434, or 1914 of title 18 of the United States Code,
21 or section 190 of the Revised Statutes (5 U. S. C. 99).

22 (f) The Commission shall elect a Chairman and a Vice
23 Chairman from among its members.

1 (g) Seven members of the Commission shall constitute
2 a quorum.

3 COMPENSATION OF MEMBERS OF THE COMMISSION

4 SEC. 3. (a) Members of the Congress who are members
5 of the Commission shall serve without compensation in addi-
6 tion to that received for their services as Members of Con-
7 gress; but they shall be reimbursed for travel, subsistence,
8 and other necessary expenses incurred by them in the per-
9 formance of the duties vested in the Commission.

10 (b) The members of the Commission who are in the
11 executive branch of the Government shall serve without
12 compensation in addition to that received for their services
13 in the executive branch, but they shall be reimbursed for
14 travel, subsistence, and other necessary expenses incurred by
15 them in the performance of the duties vested in the
16 Commission.

17 (c) The members of the Commission from private life
18 shall each receive \$50 per diem when engaged in the actual
19 performance of duties vested in the Commission, plus re-
20 imbursement for travel, subsistence, and other necessary
21 expenses incurred by them in the performance of such duties.

22 STAFF OF THE COMMISSION

23 SEC. 4. (a) (1) The Commission shall have power to
24 appoint and fix the compensation of such personnel as it

1 deems advisable, without regard to the provisions of the civil
2 service laws and the Classification Act of 1949, as amended.

3 (2) The Commission may procure, without regard to
4 the civil-service laws and the Classification Act of 1949, tem-
5 porary and intermittent services to the same extent as is
6 authorized for the departments by section 15 of the Act of
7 August 2, 1946 (60 Stat. 810), but at rates not to exceed
8 \$50 per diem for individuals.

9 (b) All employees of the Commission shall be investi-
10 gated by the Federal Bureau of Investigation as to character,
11 associations, and loyalty and a report of each such investiga-
12 tion shall be furnished to the Commission.

13 EXPENSES OF THE COMMISSION

14 SEC. 5. There is hereby authorized to be appropriated,
15 out of any money in the Treasury not otherwise appropri-
16 ated, such sums as may be necessary to carry out the provi-
17 sions of this joint resolution.

18 DUTIES OF THE COMMISSION

19 SEC. 6. The Commission shall study and investigate the
20 entire Government security program, including the various
21 statutes, Presidential orders, and administrative regulations
22 and directives under which the Government seeks to protect
23 the national security, national defense secrets, and public and

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1 private defense installations, against loss or injury arising
2 from espionage, disloyalty, subversive activity, sabotage, or
3 unauthorized disclosures, together with the actual manner
4 in which such statutes, Presidential orders, administrative
5 regulations, and directives have been and are being adminis-
6 tered and implemented, with a view to determining whether
7 existing requirements, practices, and procedures are in accord-
8 ance with the policies set forth in the first section of this
9 joint resolution, and to recommending such changes as it may
10 determine are necessary or desirable. The Commission shall
11 also consider and submit reports and recommendations on the
12 adequacy or deficiencies of existing statutes, Presidential or-
13 ders, administrative regulations, and directives, and the ad-
14 ministration of such statutes, orders, regulations, and direc-
15 tives, from the standpoints of internal consistency of the over-
16 all security program and effective protection and maintenance
17 of the national security.

18 POWERS OF THE COMMISSION

19 SEC. 7. (a) The Commission or, on the authorization
20 of the Commission, any subcommittee or member thereof,
21 may, for the purpose of carrying out the provisions of this
22 joint resolution, hold such hearings and sit and act at such
23 times and places, administer such oaths, and require, by
24 subpoena or otherwise, the attendance and testimony of such
25 witnesses and the production of such books, records, corre-

1 spondence, memoranda, papers, and documents as the Com-
2 mission or such subcommittee or member may deem advis-
3 able. Subpenas may be issued under the signature of the
4 Chairman of the Commission, of such subcommittee, or any
5 duly designated member, and may be served by any person
6 designated by such Chairman or member. The provisions
7 of sections 102 to 104, inclusive, of the Revised Statutes
8 (U. S. C., title 2, secs. 192-194), shall apply in the case of
9 any failure of any witness to comply with any subpoena or to
10 testify when summoned under authority of this section.

11 (b) The Commission is authorized to secure directly
12 from any executive department, bureau, agency, board,
13 commission, office, independent establishment, or instru-
14 mentality information, suggestions, estimates, and statistics
15 for the purposes of this joint resolution, and each such
16 department, bureau, agency, board, commission, office, estab-
17 lishment, or instrumentality is authorized and directed to
18 furnish such information, suggestions, estimates, and statistics
19 directly to the Commission, upon request made by the
20 Chairman or Vice Chairman.

21 INTERFERENCE WITH CRIMINAL PROSECUTIONS AND
22 INTELLIGENCE FUNCTIONS

23 SEC. 8. Nothing contained in this joint resolution shall
24 be construed to require any agency of the United States
25 to release any information possessed by it when, in the

1 opinion of the President, the premature disclosure of such
2 information would jeopardize or interfere with a pending
3 or prospective criminal prosecution, or with the carrying
4 out of the intelligence responsibilities of such agency.

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REPORTS

6 SEC. 9. The Commission shall submit interim reports
7 to the Congress and the President at such time or times
8 as it deems advisable, and shall submit its final report to
9 the Congress and the President not later than January 15,
10 1956. The final report of the Commission may propose
11 such legislative enactments and administrative actions as
12 in its judgment are necessary to carry out its recommenda-
13 tions. The Commission shall cease to exist ninety days
14 after submission of its final report.

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